

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67511 of 2023**

Arising Out of PS. Case No.-35 Year-2023 Thana- BRAHMPURA District- Muzaffarpur

Sonu Kumar S/O Late Jiyalal Das R/O Mohalla- Brahmasthan, Krishna Toli,
P.S- Brahmpura, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 21-12-2023 Heard learned counsel for the petitioner and learned
APP for the State as also perused the case diary.

2. The petitioner seeks bail in connection with
Brahmpura P.S. Case No. 35 of 2023 instituted for the offences
under Sections 307/34 of the Indian Penal Code and Section 27
of the Arms Act.

3. The prosecution case, in short, is that on 19.02.2023
at about 10:15 Hrs., the Informant and her mother were talking
with two brothers living on rent in her house. In the meantime,
Toffie Rai fired two pellets on her mother and started fleeing
away from there. On hearing the sound of firing, her father came
out of the house and thereafter the police was informed.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner submits that the petitioner is neither named in the FIR nor any incriminating articles has been recovered from his possession and due to village politics, the petitioner has been implicated in the present case. The name of the petitioner has transpired in this case on the basis of re-statement of the Informant. The specific allegation of firing upon the mother of the Informant is against co-accused Toffie Rai who has animosity with the brother of the Informant from earlier. The petitioner has one criminal antecedent in which he is on bail. The petitioner is in custody since 21.06.2023. Charge-sheet has been submitted in this case by the police and there is no specific allegation of any overt act against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the period of custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned



Court in connection with Brahmpura P.S. Case No. 35 of 2023.

(Rudra Prakash Mishra, J)

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